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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 TERRY LYDELL KIRKPATRICK, SR.
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13 vs. Plaintiff,
14 GUILLERMO GIRON,
15 Defendant.


CASE NO. 09cv2020 JM(BLM)

ORDER ADOPTING REPORT AND
RECOMMENDATION RE:
GRANTING DEFENDANT'S
MOTION TO DISMISS FOR
FAILURE TO EXHAUST

16 On May 15, 2010, Magistrate Judge Barbara L. Major entered a Report and Recommendation
17 Re: Granting Defendant's Motion to Dismiss for Failure to Exhaust Administrative Remedies ("R &
18 R"). The R & R, expressly incorporated herein, thoroughly and thoughtfully analyzed Plaintiff's
19 failure to exhaust available administrative remedies as required by the PLRA, 42 U.S.C. §1997e(a).
20 Plaintiff has not filed any objections to the R & R. For the reasons set forth in the R & R, the court
21 adopts the R & R in its entirety and dismisses the complaint. The Clerk of Court is instructed to close
22 the file.

23 **IT IS SO ORDERED.**

24 DATED: June 21, 2010

25 
26 Hon. Jeffrey T. Miller
United States District Judge

27 cc: All parties
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